

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JOSEPH NELUMS,

Plaintiff,

v.

case no. 22-cv-418-JB-GJF

SMILZ INC., JASPREET MATHUR,
SMILZ CAPITAL INC. and
LIMITLESS X HOLDINGS INC.,

Defendants.

UNOPPOSED MOTION TO DISMISS

TO THE HONORABLE COURT:

Defendants have not answered or responded to the above-entitled and numbered cause. The Clerk of this Court has entered their defaults.

This motion is unopposed. This motion is made in accordance with Fed.R.Civ.Pro. 23 and 41.

Plaintiff has fully resolved and settled, with Defendants, all Plaintiff's individual claims against the Defendants. The terms of the settlement agreement include that Plaintiff will cause the above-captioned case to be dismissed, with the parties to bear their own fees and costs.

No class of similarly situated persons has been certified or proposed to be certified in this case. Therefore Plaintiff is without legal authority or ability to settle anyone's claims or potential claims other than his own potential claims, and no other person is owed notice of this case or this motion.

Dismissal should have no effect on the claims or potential claims of anyone other than Plaintiff.

WHEREFORE, Plaintiff moves the Court to dismiss the above-entitled and numbered cause with prejudice as to Plaintiff's individual claims but without prejudice to the claims of any potential class-members.

RESPECTFULLY SUBMITTED,

By: /s/ Sid Childress

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